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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/898,019	07/05/2001	Seong-Soon Ahn	IK-022	9281

7590 07/30/2002

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EXAMINER

LEUNG, PHILIP H

ART UNIT

PAPER NUMBER

3742

DATE MAILED: 07/30/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.  
**09/898,019**Applicant(s)  
**AHN**Examiner  
**Philip H. Leung**Art Unit  
**3742**

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE three MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on Jul 5, 2001 is/are a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

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**DETAILED ACTION**

1. The Group and/or Art Unit location of your application in the PTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to **Group Art Unit 3742**.

2. The abstract of the disclosure is objected to because it should avoid using phrases which can be implied, such as, "The disclosure concerns" "The disclosure defined by this invention", "The disclosure describes", "The present invention relates", "According to the present invention", etc. Correction is required. See MPEP § 608.01(b).

3. The drawings filed 7-5-01 are objected to by the Examiner because "Figure 1" should be labelled as "PRIOR ART" or "CONVENTIONAL ART" . Correction is required.

4. A highlighted (preferably red ink) sketch of the changes to be incorporated into the new drawings and/or a new set of formal drawings with the proper correction **is required** in response to this Office action for approval by the Examiner. Failure to take corrective action will result in abandonment of this application. No changes will be permitted to be made, other than correction of informalities, unless the examiner has approved the proposed changes.

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5. **Claims 1-5** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The term "a hood function" at line 3 of claim 1 is not understood and needs to be defined.

Clarification and correction are required.

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. **Claims 1, 2 and 4** are rejected under 35 U.S.C. 102(b) as being clearly anticipated by *Yoshimura et al* (US 4,314,126).

As shown in the Figure, suction port 10 is the claimed suction grill, fans 7 and 11 are the claimed ventilation motor assembly and transformer 6 and magnetron 1 are the claimed electric equipments in the flow path (see col. 2, line 20-62).

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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9. **Claims 3 and 5** are rejected under 35 U.S.C. 103(a) as being unpatentable over *Yoshimura et al* (US 4,314,126), in view of *Schwaderer et al* (US 4,618,756).

*Yoshimura* discloses the claimed invention except for the location of the magnetron.

*Schwaderer* shows that it is well known in the art of microwave oven to place the magnetron at the top of a sidewall of the microwave oven cavity for feeding microwave energy into the cavity (see Figures 2 and 5 and col. 3, line 22- col. 4, line 25). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify *Yoshimura* to mount the magnetron on a sidewall for feeding microwave energy into the oven cavity for better microwave heating effect, in view of the teaching of *Schwaderer*.

10. The prior art made of record below is considered pertinent to applicant's disclosure:


*Braunisch* (US 6,218,654) and *Kang* (US 6,278,099) are further cited to show microwave ovens having a cooling device with various features as claimed.

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11. Any inquiry concerning any communication from the examiner should be directed to Examiner Leung whose telephone number is (703) 308-1710. The examiner can normally be reached on Monday to Friday from 8:00 a.m. to 5:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Teresa Walberg, can be reached on (703) 308-1327. The fax phone number for this Group is (703) 305-3463.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0861.

  
**PHILIP H. LEUNG**  
**PRIMARY EXAMINER**  
**ART UNIT 3742**

P.Leung/pl  
7-24-02